296-24

App. F. IX-4

Previous References

1934
(Mayavaram)

File No. ~~296~~ 34

Serial Nos. 1 – 2

Later References.

Mis 383-35-112

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for August-35

SUBJECT.

Lease of inam lands of Sri Aswatha.narayana Swami temple at Bharathipuram Mirthalli to Vaidya Srinivasa char for 30 years

To The Rev Comr
" Comptroller
" Dy Comr Chenga

WD 01965—GPP—15,000—7-7-34

No. 161-3 of 10-8-35

Sanction is accorded

The facts of the case are stated in the order of the M.C dated 2.1.1934 sanctg the leasing out of the land in question in favour of Thiruvenkatachari for 30 fasli, from 1933-34. This order of the M.C seems to be ultra vires the provisions of Section 9(2) of the Revenue Regulation 1927, the M.C being not competent to sanction leases of lands for periods exceeding five years [illegible]

From the position of the case as may be seen from the M.C's order, the claim of the land on 30th April 1 is stated to be a fact (vide also copy of Registered Sale deed by Srinivasa Iyer in favour of one Kesari Thiruvenkata,) This right, title and interest in this land has been [illegible] by a registered deed dated 26th May 1911

NOTE—Contn Sheet

by Sinja Heggade, wife of Kesari Ramanna brother of Kesari Thammanna, in favour of Vaidya Ramachar. This Vaidya has petitioned to the D.C. Shimoga on 2.6.1931, to the effect that he being the claimant for the land, by the Registered Deed of 1896, the Khata of the land should be transferred to his in the Rekkunna records and that in any thing should be done by the authori to disturb his possession of the land, legal steps would be taken by him, to set right the matter in his favour but no alienation or transfer of a land granted to any Inamdar inati is valid unless it is authorized by (Vide sec. 9 of the Religious and Charitable Endowments Regulation) Further para 274 of the Revenue manual authorizes the officers of the Revenue dept. to resume alienated Devadaya inam lands and restore them to the institutions concerned. The lands have been resumed and has not appealed Ramachar against the resumptions of the lands. The only question is. on which the Inamdar Coinv. solicits orders of Govt. is that of leasing the land.

for a rent of Rs 20 per annum for a period of 30 years, Since leases for a period exceeding five years requires Sanction of Govt Submitted for orders.

16.7.35.

3/ In the case enquired, the proposal of the D.C. to lease the Inamland belonging to Ashtabhujaraya Swami at Bharathipur to Vaidya Srinivasachar for 30 years fr 35-36 for a cash Geni of Rs 20/- p.a. which is agreed to by the M.C. may be sanctd.

16/7/35

Gen: Secy)

4/

5/

6/ A draft G.O. Sanctg is putup.

5/8

GENERAL SECRETARY'S
16 JULY 1935
4 08

SECOND MEMBER OF COUNCIL.
30 JULY 1935
No. 766

TYPING SECTION.
5 AUG 1935
SECTT

NOTE—Contn Sheet.

File No. 296 of 193 4

General and Secretariat

2

Mez 296 - 34 1

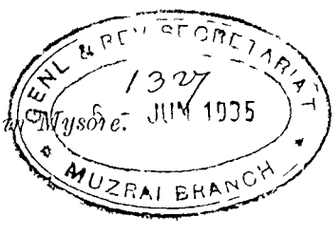
No. 1384/34-35
Revel 17

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, ...29th May..... *1935*.

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.



1/5/6

K. V. Anantaraman, Esq., B.A.,
Chief *Secretary to the Government of His Highness*
the Maharaja of Mysore,
Bangalore

SIR,

Lease of inam lands belonging to the temple of Aswatha-narayanaswami at Bharatipur in the Tirthahalli Taluk now defunct.

I have the honor to forward herewith a copy of letter No.Muz.C-818-34 dated 2-5-1935 from the Deputy Commissioner, Shimoga District, re: the above. The circumstances under which the institution was declared as defunct and the inam lands were ordered to be leased to Thimmappiah are explained in this office order No.R.Dis.118/33-34 dated 2-1-1934, a copy of which is enclosed. As the lessee, Thimmappiah failed to act up to the terms of the lease and as it is reported that there is no chance of securing any other bid than that of Vaidya Srinivasachar, I recommend that the Deputy Commissioner's proposal to lease the land to him for 30 years from 1935-36 for a cash geni of Rs 20/- per annum may be approved.

The file of vernacular papers is sent for reference and return

I have the honor to be,
Sir,
Your most obedient servant,

For Muzrai Commissioner.
(Absent from Headquarters.)

tter No.Muz.C.818/34-35 dated 2-5-35 from the Deputy Commissioner, Shimoga
rict to the Muzrai Commissioner in Mysore.

Subject:- Leasing of S.No.117 of Bharatipur village, Tirthahalli Taluk, for a period of 30 years.

I have the honor to state that Sri Aswathanarayanadevaru is a village institution endowed with devadaya inam land S.No.117 of Bharathipura village, measuring 20 guntas of wet land and 11 guntas of garden land and assessed at Rs 4/-. The institution has been treated as defunct and it has been ordered in your order No.R.Dis.118/33-34 dated 2nd January 34 that the lands in question might be leased out for a period of 30 years from 33-34 to one Thimmapiiah, who offered to take up the same for an annual rental of Rs 19/-.

As he defaulted to pay one year's rent in advance and did not execute a mutchalika as per Rules in spite of a notice served on him the lands were re-advertised for sale on 18-2-35. One Vaidya Srinivasachar has offered to take up the right of cultivation on annual cash geni of Rs 20/-. The Amildar has accepted this bid as there were no other bidders coming forward to take up the land at a higher rate of rent than that of Srinivasachar and has got a sum of Rs 20/- credited towards one year's advance under Chellan No.16 dated 28th August 33. The sale has been conducted by the Amildar and there are no irregularities in the conduct of the sale.

As there is no likelihood of getting better offers for the lands, I recommend that the lands may be ordered to be leased out to Srinivasachar for a period of 30 years from 1935-36 subject to his paying a cash geni of Rs 20/- per annum.

The income from the lands will be got credited to the General Muzrai Funds and action will be taken to obtain necessary agreement executed by the lessee as per Rules.

The vernacular file of correspondence ending with No.R3.C.832-315/33 dated 15th April 35 from the Sub Division Officer, Shimoga, is herewith enclosed for kind reference.

"COPY"

For Muzrai Commissioner.

Order of the Muzrai Commissioner in Mysore.

ence:-

Correspondence ending with letter No.Muz.1.C.360/33-34 dated 15-11-33 from the Deputy Commissioner, Shimoga District, reporting on the lease of inam land endowed to Sri Aswathanarayanadevaru at Bharatipur village, Tirtha halli Taluk.

Order No.R.Dis.118/33-34 Bangalore dated 2-1-34.

The institution in question (Aswatha tree) said to have been situated on the bank of Thungabhadra River is endowed with devadaya inam land S.No. 117 of Bharatipur village measuring ~~2-0~~ 20 guntas of wet and 11 guntas of garden and assessed at Rs 4/-. It is reported that during the investigation by the Special Duty Amildar, it was brought to notice that the lands had been alienated by the vahivatdars so far back as 1881 and that puja was not also being done no trace being left of the tree itself. He recommended that action may be taken to resume the lands from the present enjoyer. The Sub Division Officer declared the institution as defunct and directed the resumption of the land under Section 10 of the Religious and Charitable Institutions Regulation. Vaidya Ramachar claiming to be the owner of the land petitioned the Deputy Commissioner on 2-4-1931 praying that the khate of the land may be made in his name. The Deputy Commissioner ordered on 5-5-1933 that the Sub Division Officer's order might be given effect to and the person evicted from the land. In the lease sale held on 9th August 1933 for ~~the land for~~ a period of 30 years from 1933-34 one Thimmappiah stood the highest bidder for an annual rental of Rs 19/- and the Deputy Commissioner recommends that the leasing out of the land for 30 years may be approved as the sale held was regular.

2. In the above circumstances, the Deputy Commissioner's recommendation is sanctioned.

3. As the institution has been declared defunct the annual gutta should be credited to the General Muzrai Funds until the land is otherwise disposed of.

The D.C. Shimoga Dt. will please send
The Comptroller's Receipt of Mysore.

Sd/- N. MADHAVA RAU,
Muzrai Commissioner.

"C O P Y"

For Muzrai Commissioner.

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Diary No. of letter replied to .....

Section Mesz

File No. 294-34

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue ..10..8..193 5.

Signed By ..Mr B. Muddukrishnappa..

Read— Letter IW 1384/34-35 dated 4.6.1935 from the M.C. ~~Tirthahalli~~ in ~~the~~ requesting ~~in the~~ sanction under the circumstances explained therein, ~~to~~ the proposal of the D.C. Shimoga ~~to~~, to lease the Inam lands now defunct belonging to the Temple of

Order thereon No. Archakeswaraswamy Shravi at Bharatipura in the Thirthahalli Taluk, to Mr Vaddla Srinivasachar for a period of thirty years fasli 1935-36 fr...

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

AB

RS

a rent ~~Cash grant~~ of Rs.20/per annum
~~may be abolished.~~

vide 161-3 Ind I to file G.M.C

Sanctioned

J 6/5

Dr Gealdaughters

The M.C with records
a Comptroller
& D.C Shevaroys

List of Enclosure

Copied by

Examined by

WD 0158—GPB—15,000—13-8-34